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21 *Attorneys for Defendant Meta Platforms, Inc.*

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23 **UNITED STATES DISTRICT COURT**  
24 **NORTHERN DISTRICT OF CALIFORNIA**  
25 **SAN FRANCISCO DIVISION**

26 MAXIMILIAN KLEIN, et al., on behalf of  
27 themselves and all others similarly situated,

28 Plaintiffs,

v.

META PLATFORMS, INC., a Delaware  
Corporation headquartered in California,

Defendant.

Case No. 3:20-cv-08570-JD

**META PLATFORMS, INC.'S  
UNOPPOSED ADMINISTRATIVE  
MOTION FOR LEAVE TO FILE  
STATEMENT OF RECENT DECISION**

Judge: Hon. James Donato

Pursuant to Civil Local Rule 7-11, Defendant Meta Platforms, Inc. respectfully asks this Court for leave to file a Statement of Recent Decision. Meta's proposed Statement of Recent Decision is attached hereto as Exhibit A. The purpose of the proposed Statement is to inform the Court of a very recent decision issued by Judge Castel of the Southern District of New York in *In re: Google Digital Advertising Antitrust Litigation*, No. 1:21-md-03010-PKC (Sept. 13, 2022), Dkt. No. 308, dismissing as implausible claims that the Network Bidding Agreement between Google and Facebook was an unlawful restraint of trade under Section 1 of the Sherman Act. *See id.* at 20-34. Advertisers allege in their Amended Complaint that this same agreement was an unlawful restraint of trade and similarly allege that the Agreement was part of a course of conduct that violated Section 2 of the Sherman Act. *See* Advertisers' First Amended Complaint ¶¶ 16-19, 614-656, Dkt. No. 237. Meta believes that the *In re: Google Digital Advertising Antitrust Litigation* decision is pertinent additional precedent bearing on the pending motion to dismiss that was taken under submission on August 11, 2022. Counsel for Advertiser Plaintiffs have advised the undersigned counsel that they do not oppose the relief sought by this administrative motion. Counsel for User Plaintiffs have advised the undersigned counsel that they take no position on the relief sought by this administrative motion.<sup>1</sup>

Dated: September 14, 2022

Respectfully submitted,

By: /s/ Sonal N. Mehta

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<sup>1</sup> Consistent with L.R. 7-3(d)(2), Meta presents no argument regarding how the decision in *In re: Google Digital Advertising Antitrust Litigation* bears on Advertisers' claims. Meta respectfully submits that it would be improper for Advertisers to inject argument as to the relevance the decision in response to this submission, as the Court is more than capable of evaluating the decision's relevance for itself.

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*Attorneys for Defendant Meta Platforms, Inc.*

**CERTIFICATE OF SERVICE**

I hereby certify that on this 14th day of September, 2022, I electronically transmitted the foregoing document to the Clerk's Office using the CM/ECF System.

By: /s/ Sonal N. Mehta  
Sonal N. Mehta